

FILED

OCT 30 1998

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF SOUTH CAROLINA

LARRY W. PROPPES, CLERK
COLUMBIA, S. C.

COLUMBIA DIVISION

**MARIE-THERESE ASAA'AD -
FALTAS,**

Plaintiff,

vs.

**UNIVERSITY OF SOUTH CAROLINA,
et al.,**

Defendants.

CA No. 3:94-1578-19

ENTERED

10-30-98

ORDER

This case is before the Court on Dr. Marie Therese Assa'ad Faltas' ("Dr. Faltas") Second Rule 60(b) Motion filed on October 9, 1998. This action is currently on appeal to the United States Circuit Court of Appeals for the Fourth Circuit. The instant motion was filed more than a year after Dr. Faltas filed her appeal and long after the Fourth Circuit docketed her case for appeal.

Because of the procedural posture of this action, this Court is divested of jurisdiction to grant Dr. Faltas' Second Rule 60(b) Motion. *See Williams v. McKenzie*, 576 F.2d 566 (4th Cir. 1978); *Williams v. Griffin*, 902 F.2d 1567 (4th Cir. 1990) (unpublished disposition).

IT IS SO ORDERED on this the 30th day of October, 1998, at Columbia, South Carolina.



**DENNIS W. SHEDD
UNITED STATES DISTRICT JUDGE**